

Department of Water and Power



the City of Los Angeles

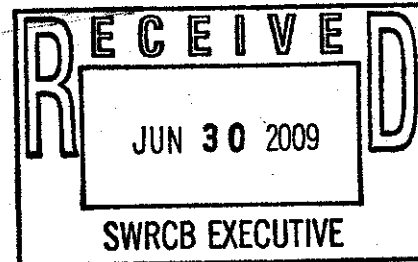
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June 30, 2009

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, California 95814



Dear Ms. Townsend

Subject: Comment Letter-Revised General Permit for Landscape Irrigation Uses of
Recycled Water & CEQA documents

The City of Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to provide additional comments on the revised Draft dated June 18, 2009 of the General Waste Discharge Requirements for Landscape Irrigation Uses of Municipal Recycled Water (General Permit). LADWP applauds the State Water Resources Control Board (State Board) for working with stakeholders in developing a Statewide General Permit (Permit) that will streamline the permitting process for the use of recycled water for irrigation projects. In addition, LADWP commends the State Board for its commitment to increase the use of recycled water as demonstrated by the extension of the previous public comment period, which allowed more stakeholders throughout the State to provide their input.

LADWP supports the adoption of a streamlined Monitoring and Reporting Program (MRP) that will encourage more irrigation users to seek coverage under this General Permit, while protecting receiving water beneficial uses and public health. While LADWP supports the State Board's efforts in developing this General Permit, the draft permit's MRP as written does not reflect the intent of Assembly Bill 1481 (AB1481). LADWP believes that the purpose of AB1481 was to develop a streamlined, user-friendly Statewide general permit to encourage the use of recycled water for irrigation purposes, in place of potable sources.

As stated in Finding 1 of the draft General Permit, recycled water is a valuable resource in the State of California and is a safe alternative to potable water. LADWP has been a strong advocate in the effort to develop the Statewide General Permit for the use of recycled water. This streamlined permitting process for recycled water irrigation projects will help the City of Los Angeles meet its goal of using at least 50,000 acre-feet of recycled water by 2019.

Water and Power Conservation ... a way of life

111 North Hope Street, Los Angeles, California 90012-2607 Mailing address: Box 51111, Los Angeles 90051-5700
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Recyclable and made from recycled waste.



OVERALL COMMENT

Throughout the current Draft General Permit, recycled water is, at times, referred to as a "waste constituent". In keeping with the intent of the State Board's recently adopted Recycled Water Policy, which highlights the benefits of recycled water use, and its superior water quality, LADWP believes recycled water should be referred to as a resource not a waste. Therefore, LADWP requests that the use of recycled water, as allowed by Title 22, be referred to throughout the General Permit as "the application of recycled water".

LADWP has the following specific comments:

PROHIBITIONS

1. PROHIBITIONS Item 5, Page 12 of 22

As written, paragraph 5 of the prohibitions, limits the use of recycled water to landscape irrigation only, other uses of recycled water such as street cleaning or in cooling towers would not be allowed. LADWP believes this paragraph should be clarified and the words "pursuant to this General Permit" be reinserted to read "The use of recycled water for uses other than landscape irrigation, pursuant to this General Permit". If paragraph 5 is changed as stated above, then Prohibition 4 should be deleted as it would be unnecessary.

PROVISIONS

2. PROVISIONS Item 7, Page 19 of 22

Paragraph 7 discusses that amendments to the approved Title 22 Engineering Report would be required to be made for "new use sites". LADWP believes that the addition of new individual irrigation use sites should not require a formal amendment to a Title 22 Engineering Report provided that each new site is inspected and approved by the local public health agency.

LADWP currently coordinates initial inspections and obtains approval for all new recycled water irrigation sites through the Los Angeles County Department of Public Health. In addition, the draft MRP requires the identification of all irrigation use areas in the annual report.

Therefore, LADWP suggests that this paragraph be changed to read "new uses for recycled water not already specified in the Title 22 Engineering Report".

3. PROVISIONS Item 9, Page 19 of 22

The draft General Permit requires the Administrator "to ensure that periodic inspections are conducted at least quarterly". Current permits require periodic site inspections to be conducted annually, which in conjunction with BMP implementation and site supervisor training has shown to be adequate to ensure compliance with permit conditions. The inspection frequency should remain consistent with other permits already in place. Therefore, LADWP suggests that the first sentence of the paragraph be re-written to read "The Administrator shall ensure that periodic inspections of the Use Areas they supply are conducted annually, or as required by the local public health agency, and shall establish procedures to monitor and assure compliance with conditions of this General Permit".

4. PROVISIONS Item 16, Page 20 of 22

The notification procedures list the appropriate Regional Board and the California Emergency Management Agency (CalEMA) to be notified in case of an incident of non-compliance. Notification of CalEMA is to be done in case of a hazardous substance spill. Recycled water is not a hazardous substance and notifying CalEMA would be inappropriate to the incident.

LADWP requests that the notification procedures be changed, omitting the requirement to contact CalEMA and require that the California Department of Public Health (CDPH) and the appropriate Regional Board are notified.

MONITORING AND REPORTING PROGRAM:

5. MONITORING and REPORTING PROGRAM (MRP); Recycled Water Production and Use Table, Page 1 & Attachment F Reporting Form Page F-4.

LADWP appreciates the addition of the language stating that an adopted Salt and Nutrient Management Plan (SNMP) is to be "used in lieu of the monitoring schedule" that further specifies the monitoring requirements and how the implementation of the SNMP will take the place of the MRP.

The MRP's requirement to provide the "Volume of Additional Water" does not contribute significant information on the condition of the Basin resulting from recycled water irrigation uses, and therefore should not be required. The MRP should reflect the monitoring requirements of the Administrator as stated in page 1, paragraph 3 of the draft MRP: "shall monitor recycled water production, distribution, and use within its service area". LADWP believes that the comprehensive SNMP will more adequately reflect the effect of all irrigation activities over a basin.

LADWP suggests the removal of the requirement to measure the "Volume of Additional Water" from the MRP.

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6. MRP: Recycled Water Production and Use Table, Note 6, Page 2 of 5

Note 6 of the "Recycled Water Production and Use Table" indicates that, in calculating salinity application rate, the Administrator must account for "salinity characteristics of any additional sources of salinity". Since the comprehensive SNMP should adequately quantify the salinity loading of all activities over a basin, salinity impacts due to other sources will ultimately be quantified. Therefore, information on salinity will already be available in the SNMPs.

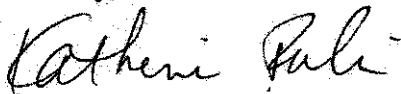
Therefore, LADWP suggests the removal of the final phrase of Note 6 reading "and the salinity characteristics of any additional sources of salinity" from the MRP.

7. MRP: Recycled Water Production and Use, Page 3 of 5

The last paragraph of this section that begins with "By the 15 of March each year..." describes how and when information is to be obtained from the User. Neither the State Board nor the Regional Board should prescribe the how information is obtained from the Users. LADWP asks that this paragraph be removed as any information exchange would be conducted under an agreement between the Administrator and the User.

LADWP looks forward to working with the State Board in the development and approval of this general permit for the use of recycled water for irrigation projects. Please contact Mr. Mark Bassett or Mr. Michael Hanson of my staff at 213-367-3059 or 213-367-0634, respectively if you have additional questions or comments regarding this letter.

Sincerely,



Katherine Rubin
Manager of Wastewater Quality and Compliance Group

MB:rp
c: Mr. Mark Bassett